

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CEMENT MASONS' UNION LOCAL NO.	:	CIVIL ACTION
NO. 592 PENSION FUND, et al.	:	
	:	
v.	:	
	:	
PERMAFLOOR, LLC, et al.	:	NO. 17-597

ORDER

AND NOW, this 10th day of January, 2018, for the reasons set forth in the accompanying memorandum, it is hereby ORDERED that:

(1) the motion of Cement Masons' Union Local No. 592 to dismiss defendants' counterclaim (Doc. # 17) is GRANTED as to Count II of the counterclaim, which alleges fraud in the inducement;

(2) the motion to dismiss is otherwise DENIED; and

(3) and the motion of all plaintiffs to strike defendants' counterclaim (Doc. # 18) is DENIED.

BY THE COURT:

/s/ Harvey Bartle III

J.